

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
**3:01-CR-88-6**

UNITED STATES OF AMERICA	)	
	)	
v.	)	<b><u>ORDER</u></b>
	)	
JOSHUA KAREEM OLIPHANT	)	
	)	

**THIS MATTER IS BEFORE THE COURT** on Defendant's Letter Motion to Correct Sentence [doc. 125] filed on November 4, 2008.

In accordance with the Court's original intent, the motion to correct sentence is **GRANTED**. Defendant's Judgment is to be amended indicating that Counts 1 and 3 are to run **concurrently** with the sentencing for Mecklenburg County Docket numbers 01CRS14466, 01CRS14467, 01CRS14468, and 01CRS 14469. Defendant's remaining count 4 is a mandatory consecutive sentence.

However, this Court does not have the authority to calculate defendant's running time for the BOP and therefore **the request that we provide a discharge date is denied**.

**IT IS ORDERED** that a new J&C be prepared to reflect that the defendant's federal sentencing for Counts 1 and 3 are to run concurrently with each other and with the state sentencing.

**IT IS SO ORDERED.**

Signed: November 5, 2008



Graham C. Mullen  
United States District Judge



